

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
08/07/2001

07/25/2001

CLERK OF THE COURT
FORM R109B

JUDGE PRO TEM SUSAN HENNESY

J. Hunt
Deputy

CR 2000-007242

FILED: _____

STATE OF ARIZONA

JEFFREY R DUVENDACK

v.

AMY REBECCA CHENEY
DOB: December 1, 1972

SUZETTE I PINTARD

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CCC
VICTIM WITNESS DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:25 a.m. State is represented by Brandon Clarke.
Defendant is present and represented by Suzette I. Pintard.

Court Reporter, Cindy Lineburg, is present.

The acceptance of the Defendant's plea having previously
been deferred is now **accepted** and entered of record.

The Defendant is advised of the charge, the determination
of guilt and is given the opportunity to speak.

Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

WAIVER OF TRIAL: The Defendant knowingly, intelligently
and voluntarily waived his/her right to a trial with or without
a jury, his/her right to confront and cross examine witnesses,

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his/her right to testify or remain silent and his/her right to present evidence and call his/her own witnesses after having been advised of these rights. The determination of guilt was based upon a plea of Guilty.

Based upon the information provided, the Court finds probation is mandatory pursuant to A.R.S. Section 13-901.01(A) due to the fact that this is the Defendant's first drug conviction. The Court further finds probation to be appropriate due to the nature of this offense and the Defendant's need for supervision and for drug treatment.

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is **guilty** of the crime of:

OFFENSE: **Count 1, amended, Solicitation to Possess Narcotic Drugs**, a class 6 undesignated, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3408, 3418, 1002, 701, 702, 702.01, 707, 801, 802, and 13-901.01(A) committed on January 17, 2000.

Upon consideration of the offense, the facts, law and circumstances involved in this case, the Court finds that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

As punishment for this crime(s),

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation as to Count(s) 1 for a period of 3 years commencing this date under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order suspending sentence and Order imposing terms of probation signed by the Court.

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As a condition of probation,

IT IS ORDERED that probation in this cause shall run **concurrent** with probation in CR2000-017923.

IT IS ORDERED that the Defendant shall complete 50 total hours of Community Service, at the rate of 20 hours each month beginning September 1, 2001.

IT IS ORDERED that the Defendant pay a monthly probation service fee to the Clerk of the Superior Court of Maricopa County at a rate of \$40.00 commencing on December 1, 2002 and due on the same day of each month thereafter during the term of probation.

FINE: IT IS ORDERED that the Defendant shall pay a fine to the Clerk of the Superior Court of Maricopa County in the amount of \$1,200.00, and all applicable surcharges are waived.

Payment is to be made in regular monthly payments of \$40.00 commencing December 1, 2002 and on the same day of each month thereafter until paid in full.

IT IS ORDERED that the Defendant pay an assessment in the amount of \$20.00 to the Clerk of the Superior Court of Maricopa County as follows:

Pursuant to A.R.S. Section 12-116, Defendant shall pay a fee of \$20.00 to the Clerk of the Superior Court of Maricopa County. Should Defendant pay all penalties, fines and/or sanctions in full this date, said fee is not applicable.

Payment is to be made on or before December 1, 2002.

Pursuant to Term 17(h): The Defendant is to participate and cooperate in the Drug Court Program. Drug Court includes Term 13, serve 120 days in the Maricopa County Jail to be determined at a future hearing, a \$20.00 program entry fee,

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payable within one week of sentencing, and weekly treatment costs of \$20.00 while in the program.

All of the fines and fees listed under Term 12 are suspended while the Defendant is participating in the Drug Court Program.

IT IS ORDERED that the Defendant shall contact the Adult Probation Officer at 111 S. Third Avenue, West Court Building, 5th Floor, within twenty-four (24) hours from this date.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance and signature. The Defendant agrees to the stated waiver of extradition. The Defendant is advised concerning the consequences of failure to abide the conditions of probation.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

FILED: Conditions of Probation and Notice of Rights of Review after Conviction.

LET THE RECORD REFLECT that the Defendant has waived the preparation of a presentence report. The EDC Adult Probation Office has prepared a written recommendation, which is filed under CR2000-007242.

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Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

10:32 a.m. Matter concludes.

/s/ JUDGE PRO TEM SUSAN HENNESY
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)